

Message Text

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71

ORIGIN EB-11

INFO OCT-01 EUR-25 ADP-00 L-03 CAB-09 CIAE-00 COME-00

DODE-00 INR-10 NSAE-00 RSC-01 FAA-00 /060 R

DRAFTED BY EB/ OA/ AVP: JSRAVATT: DWL

6/21/73 EXT. 20702

APPROVED BY EB/ TT: RJWALDMANN

EUR/ WE - MR. SHEINBAUM

L/ T - EMCDOWELL

L/ EB - HRGAITHER (SUBS)

EB/ OA - JSMEADOWS

FAA - JSHAFFER

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P R 212112 Z JUN 73

FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE PRIORITY

INFO AMEMBASSY BRUSSELS

UNCLAS STATE 121530

E. O. 11652: N/ A

TAGS: ETRN, NL

SUBJ: CIVAIR - BILATERAL AIRWORTHINESS AGREEMENT

REF : THE HAGUE A-72, APR. 6, 1973

BRUSSELS FOR FAA

1. INFORM FONOFF THAT USG HAS EXAMINED MODIFIED TEXT
ATTACHED TO ITS NOTE OF MARCH 14, 1973 AND HAS FOLLOWING
COMMENTS:

PARA. 6 - NO OBJECTION ADDING FINAL SENTENCE: QUOTE THEY
SHALL ALSO ASSIST IN ANALYZING THOSE MAJOR INCIDENTS
OCCURRING ON PRODUCTS TO WHICH THIS AGREEMENT APPLIES AND
WHICH ARE SUCH AS WOULD RAISE TECHNICAL QUESTIONS REGARD-
ING THE AIRWORTHINESS OF SUCH PRODUCTS. UNQUOTE

PARA. 12 - NO OBJECTION EXTENDING THIS PARA. TO INCLUDE
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PROVISIONS SIMILAR TO ARTICLE VIII (B) AND (C) OF 1955
US- NETHERLANDS AGREEMENT EXCEPT THAT THE WORD QUOTE COMPON-
ENTS UNQUOTE SHOULD BE DELETED FROM BOTH PARA. 12 (B) AND
(C) BECAUSE CERTIFICATES OF AIRWORTHINESS ARE NOT ISSUED
FOR COMPONENTS AND AIRWORTHINESS DIRECTIVES ARE NOT ISSUED
AGAINST A COMPONENT PER SE BUT AGAINST THE PRODUCT OF
WHICH THEY ARE A PART. PARA. 12 SHOULD THEREFORE READ:

QUOTE (A) THE GOVERNMENT OF EITHER CONTRACTING STATE MAY
TERMINATE THIS AGREEMENT AT THE EXPIRATION OF NOT LESS
THAN SIXTY DAYS AFTER GIVING WRITTEN NOTICE OF THAT
INTENTION TO THE GOVERNMENT OF THE OTHER CONTRACTING
STATE.

(B) NOTWITHSTANDING TERMINATION OF THE AGREEMENT,
THE PROVISIONS OF PARAGRAPH 5 SHALL REMAIN IN FORCE FOR
A PERIOD OF FIVE YEARS AFTER THE DATE OF TERMINATION OF
THIS AGREEMENT IN RESPECT OF PRODUCTS FOR WHICH A
CERTIFICATE HAS BEEN ISSUED IN ACCORDANCE WITH THE
PROVISIONS OF THIS AGREEMENT.

(C) NOTWITHSTANDING TERMINATION, THIS AGREEMENT
SHALL REMAIN IN FORCE FOR A PERIOD OF TWO YEARS AFTER
THE DATE OF ITS TERMINATION IN RESPECT OF PRODUCTS FOR
WHICH BEFORE THE DATE OF TERMINATION AN APPLICATION
HAS BEEN MADE FOR THE ISSUANCE OF A CERTIFICATE IN
ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT. UNQUOTE

PARA 13 - WE AGREE WITH AMENDED TEXT WHICH INSERTS
PROPER REFERENCE.

FINAL PARAGRAPH - WE AGREE WITH NETHERLANDS TEXT. WE
ALSO HAVE NO PROBLEM REGARDING THE EXTENT OF THE
APPLICABILITY OF THE AGREEMENT AS FAR AS THE KINGDOM OF
THE NETHERLANDS IS CONCERNED.

2. WHEN EXCHANGE OF NOTES EFFECTED, EMB REQUESTED
TRANSMIT TO DEPT, ATTENTION L/ T, THE SIGNED ORIGINAL
OF FOREIGN MINISTRY' S NOTE AND CERTIFIED COPY OF EMBS
NOTE IN ACCORDANCE 11 FAM735. ROGERS
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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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